

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LILLIAN CHRISTENSEN,

Plaintiff,

No. C 11-03864 JSW

v.

ROBERT E. COTNOIR, et al.,

Defendants.

**SECOND ORDER CONTINUING  
DATES**

The Court has reviewed the administrative motion filed by Robert E. Cotnoir (“Cotnoir”) to continue the trial date. The Court HEREBY CONTINUES the pretrial conference and trial to December 15, 2014 at 2:00 p.m. and January 26, 2015 at 8:00 a.m., respectively.

Upon review of the documents submitted by Cotnoir, it appears as though both parties have failed to comply with the Court’s order requiring the parties **to meet and confer in person** by no later than July 21, 2014 in order to prepare the required pretrial filings. Cotnoir submitted a letter by Kenneth Steven Lundie (“Lundie”), but failed to state what efforts Cotnoir made to satisfy the requirement to meet and confer in person by July 21, 2014. The Court admonishes the parties that any further violation of a Court’s order will be sanctioned. Moreover, the Court notes that Lundie stated in his letter that he was unable to meet the July 21 deadline and to consider his letter as satisfaction of the Court’s order. If a party is unable to meet a Court deadline or other order, the party is required to seek leave of Court to extend the deadline **before** the deadline passes. Additionally, the Court required the parties to meet and confer **in person**.

1 The parties cannot alter a Court order without prior leave of Court. Lastly, the Court notes  
2 Lundie's request to meet with Cotnoir's counsel's administrative staff, as opposed to meeting  
3 with Cotnoir's counsel directly. Despite the parties' past inability to work well together, the  
4 parties cannot avoid the necessity of working together to prepare for trial. The Court's order is  
5 a requirement for **Lundie** and **Cotnoir's counsel** to meet and confer **in person**. To the extent  
6 the parties have not already done so, **Lundie** and **Cotnoir's counsel** are hereby ordered to meet  
7 and confer **in person** by no later than August 22, 2014 in order to prepare the documents  
8 required by the Court's Standing Order regarding pretrial conferences in civil jury cases and  
9 shall **jointly file** such documents by no later than September 5, 2014.

10 **IT IS SO ORDERED.**

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12 Dated: July 31, 2014

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15 JEFFREYS. WHITE  
16 UNITED STATES DISTRICT JUDGE  
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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

LILLIAN CHRISTENSEN,  
Plaintiff,

Case Number: CV11-03864 JSW

**CERTIFICATE OF SERVICE**

v.


ROBERT E COTNOIR et al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 31, 2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ken Lundie  
1753 NE Yaquina Heights Dr.  
Newport, OR 97365-9568

Dated: July 31, 2014

  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk